

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atty. Dkt.: 4396-320
Date: February 25, 2004

Sir:
Attached for filing is the patent application of:
Inventor: COLLA et al.
Entitled: FAULT DIAGNOSIS IN CPAP AND NIPPV DEVICES

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:

- 19 pages of specification and claims (including 19 numbered claims), and
18 sheets of accompanying drawings (Figs. 1a-17).
☒ Record the attached assignment to ResMed Limited, North Ryde, New South Wales, Australia and return to the undersigned.
☒ Attached is a Power of Attorney.
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
PP 6933	Australia	5 November 1998
PCT/AU99/00972		5 November 1999

, respectively, the entire content of which is hereby incorporated by reference in this application.

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
☒ Certified copy(ies) filed by the International Bureau in prior appln. no. 09/719,680 filed June 5, 2001
☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.
☒ This application is a ☐ continuation/☒ division/☐ continuation-in-part of Application No. 10/408,568, filed April 8, 2003, allowed, which is a continuation of U.S. Application No. 09/719,680, filed June 5, 2001, now U.S. Patent No. 6,591,834, which is a National Phase of PCT/AU99/00972 filed November 5, 1999, the entire contents of which are hereby incorporated by reference in this application.
☐ Petition filed in prior application to extend its life to insure co-pendency.
☒ The prior application is assigned to ResMed Limited, North Ryde, New South Wales, Australia.
☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
☒ Please enter the attached preliminary amendment **prior** to calculation of filing fee
☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee		\$	770.00
Total effective claims	22 - 20 (at least 20) = 2	x \$ 18.00	\$ 36.00
Independent claims	4 - 3 (at least 3) = 1	x \$ 86.00	\$ 86.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)			\$ 0.00
		SUBTOTAL	\$ 892.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$ (0.00)
		SECOND SUBTOTAL	\$ 892.00
Assignment Recording Fee (\$40.00)		\$	40.00
		TOTAL FEE ENCLOSED	\$ 932.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.
A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: Paul T. Bowen, Reg. No. 38,009

Signature: _____

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